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U.S. PATENT & TRADEMARK OFFICE

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Based on PTO/SB/64 (11-03)

<b>PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)</b>		Docket Number (Optional) UBAT1300
First named inventor:	William B. Dress, Jr.	
Application No.:	09/671,636	Group Art Unit: 2634
Filed:	September 27, 2000	Examiner: Pathak,
Title:	HYBRID SPREAD-SPECTRUM TECHNIQUE FOR EXPANDING CHANNEL CAPACITY	
<p>Attention: Office of Petitions Mail Stop Petition Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450</p>		
<p>Note: If information or assistance is needed in completing this form, please contact Petitions information at (703) 305-9282.</p>		
<p>The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extensions of time actually obtained.</p>		
<p style="text-align: center;"><b>APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION</b></p>		
<p>NOTE: A grantable petition requires the following items:</p>		
<p>(1) Petition fee; (2) Reply and/or issue fee; (3) Terminal disclaimer with disclaimer fee – required for all utility and plant applications filed before June 8, 1995; and for all design applications; and (4) Statement that the entire delay was unintentional.</p>		
1. Petition fee	<p><input type="checkbox"/> Small entity-fee \$ _____ (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27. <input checked="" type="checkbox"/> Other than small entity-fee \$ <u>1500.00</u> (37 CFR 1.17(m)).</p>	
2. Reply and/or fee	<p>A. The reply and/or fee to the above-noted Office Action in Reply to office action mailed May 6, 2004; Request for RCE; and Notification of the form of <u>extension of time</u> (identify the type of reply): <input type="checkbox"/> has been filed previously on _____ <input checked="" type="checkbox"/> is enclosed herewith.</p>	
B. The issue fee of \$ _____.	<p><input type="checkbox"/> has been paid previously on _____ <input type="checkbox"/> is enclosed herewith.</p>	

[Page 1 of 2]

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1500.00 DP

## 3. Terminal disclaimer with disclaimer fee

- Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ \_\_\_\_\_ for a small entity or \$ \_\_\_\_\_ for other than a small entity) disclaiming the required period of time is enclosed herewith (see (PTO/SB/63)).

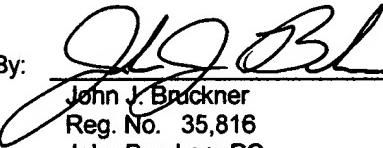
## 4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c)(III)(C) and (D))].

The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 50-3204. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

Dated: April 26, '05

By:

  
 John J. Bruckner  
 Reg. No. 35,816  
 John Bruckner PC  
 5708 Back Bay Lane  
 Austin, TX 78739

Telephone 512-394-0118

Enclosures:

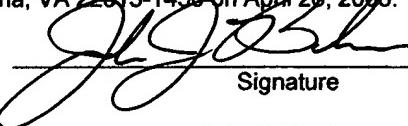
- Check in the amount of \$ 1500 + 1020 + 790
- Reply to office action mailed May 6, 2004; Request for RCE
- Terminal Disclaimer Form
- Additional sheets containing statements establishing unintentional delay
- Other: Notification of extension of time

CERTIFICATE OF (EXPRESS) MAILING OR TRANSMISSION (37 CFR 1.8(a) or 1.10)

I hereby certify that this correspondence is being:

- deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450.
- transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) 308-6916.
- deposited with the United States Postal Service as Express Mail Post Office to Addressee in an envelope bearing Express Mail mailing label number ED 728728393 US addressed to: Mail Stop Petition, Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450 on April 26, 2005.

April 26, '05  
 Date

  
 Signature

John J. Bruckner  
 Type or print name of person signing certificate